

# Property Management

## 809.1 PURPOSE AND SCOPE

This policy provides for the proper collection, storage, and disposition of items deemed non-evidentiary. This policy also provides the person authorized to manage the program and the people authorized to release, remove and/or destroy property.

## 809.2 DEFINITIONS

Definitions related to this policy include:

**Evidence** - Includes items taken or recovered in the course of an investigation that may be used in the prosecution of a case.

**Found Property** - Includes items found by a member or citizen where the owner cannot be readily identified or contacted and has no evidentiary value.

**Property Section** - This can include but is not limited to, impound garage, Department basement and property cabinet.

**Safekeeping** - Includes the following types of property:

- Property obtained by the Department for safekeeping, such as a firearm.
- Personal property of an arrestee not taken as evidence.
- Property taken as safekeeping under authority of a law.
- Evidence that is no longer deemed evidentiary in nature.

## 809.3 PROPERTY MANAGER

The Property Section shall be managed by the designee of the Chief of Police. The Property Section manager shall maintain a well organized system of storage and control of all found property in custody of the Department. The Property Section manager will give Officers instruction when needed regarding packaging, organization, documentation and storage location.

## 809.4 PROPERTY INTAKE PROCEDURE

All found property must be entered into the property section prior to the responsible party going off duty. Members entering property shall observe the following guidelines:

- Complete the property receipt describing each item separately, listing all serial numbers, identifying information or markings, complainant's information and owner's information if known.
- If the owner is known indicate it on the property receipt so office staff know to send a letter, if the owner is contacted by the Officer or their is no owner that shall be indicated as well.

# Hudson Police Department

## Hudson Police Dept Policy Manual

### *Property Management*

---

- When the property receipt is completed the white and yellow copies will be attached to the properly packaged item and the pink copy will go with the original report.
- A majority of items taken into the Department will fit in the property cabinet (purses, phones, etc.), larger items shall be stored in the impound garage (bicycles, ping pong tables, etc), any items stored in the Department basement shall obtain supervisor approval.

#### **809.5 RIGHT OF REFUSAL**

The property section manager has the right to refuse any piece of property that is hazardous or has not been properly documented, packaged or placed in the wrong storage location. Should the property section manager refuse an item, he/she will notify the submitting Officer who will then take the corrective action necessary to the satisfaction of the property section manager.

#### **809.6 TEMPORARY FIREARM STORAGE**

Temporary storage of firearms for safekeeping that does not rise to the level of being stored in the evidence room can be stored in the property section. One location would be the handgun safe in the main office and the second location would be the tall overflow evidence locker in the Department basement. Firearms held in the property section would be temporary, any longer than 72 hours would need to be turned into the evidence room for extended storage.

Prior to releasing the firearm(s) it should be confirmed that it is not stolen and the person receiving the firearm is the owner and has the legal right to possess. As with other property a property receipt needs to be properly completed and signed by the owner of the firearm.

#### **809.7 HIGH VALUE ITEMS**

Found property with a high value attached such as fine jewelry, collectable coins, cash more than \$100.00, or other unforeseen item shall be entered into evidence for secure safekeeping.

#### **809.8 AUTHORITY TO RELEASE PROPERTY**

The sworn members of the Department, Administrative Assistant and Records Clerks have the authority to release items to their owners.

#### **809.9 RELEASE OF PROPERTY**

A reasonable attempt shall be made by the Officer handling the intake to identify the rightful owner of any found property.

Release of found property shall be made upon positive receipt of ownership and the items must conform to the items listed on the property receipt. Upon verification the missing information on the property receipt needs to be completed to confirm address, phone number and name. The owner or person receiving the property shall sign the property receipt.

An exception to the owner signing for the property would be for the owner to complete a notarized letter authorizing the receiver of the property to collect it on their behalf.

# Hudson Police Department

## Hudson Police Dept Policy Manual

### *Property Management*

---

Property not claimed within 30 days after notification and property where no owner was found after 90 days may be auctioned (Wis. Stat.66.0139(2)). If such property is not sold at auction or otherwise lawfully claimed it may be destroyed. Proceeds from the items that did sell shall be deposited into the City treasury, other items not auctioned or destroyed may be used for Department purposes.

If more than one party claims an interest in found property and the legal ownership rights cannot be established then such property shall not be released until one party has obtained a court order to establish undisputed right to the property and all parties should be advised that their claims are civil.

In all cases when the paperwork is completed it will be submitted for for filing.